

Fishermen killed when boat capsizes off Newport

Associated Press

NEWPORT — A commercial fishing boat capsized in rough waters off the Oregon Coast, killing three men aboard.

The Coast Guard said the vessel, the Mary B. II, overturned about 10 p.m. Tuesday as it crossed Yaquina Bay Bar in Newport.

Authorities say crews faced 12- to 14-foot waves during the initial response as they tried to rescue the fishermen.

The Coast Guard pulled one fisherman, James Lacey, 48, from South Toms River, New Jersey, from the sea Tuesday, and the man later died, according to the Oregon State Police.

Authorities say the body of Joshua Porter, 50, of Toledo, washed ashore near Nye Beach after midnight. The third body — skipper Stephen Biernacki, 50, of Barnegat Township, New Jersey — was found on the hull of the boat near the north side of the Yaquina Bay North Jetty.

Astoria man gets probation in connection with sex abuse case

By JACK HEFFERNAN
The Daily Astorian

An Astoria man was sentenced Tuesday to probation after allegedly having sex with a young woman without her consent in 2015.

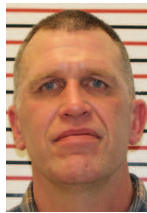
James Herbert Cunningham, 47, pleaded no contest to third-degree assault after originally facing a lengthy list of sex abuse charges. If Cunningham violates probation, he would face a prison sentence of more than two years.

In 2015, Cunningham met with Dennis Lee Sturgell, 66, at an Astoria hotel. Earlier in the night, Sturgell drank with the woman at a Warrenton bar,

provided cocaine to her and drove her to his wooded property in Naselle, Washington, where he sexually abused her.

Sturgell then took the heavily intoxicated woman to the Astoria hotel before meeting with Cunningham. After entering the hotel room and seeing the woman, Cunningham asked, "Where did you find this one?" the victim said during Sturgell's trial in November.

Cunningham then had sex with her and performed other sexual acts, the victim said. Circuit Court Judge Paula Brownhill ruled



James Herbert Cunningham

during Sturgell's trial that prosecutors needed to prove that he knew the woman was incapacitated or physically helpless.

Since Cunningham did not provide her with drugs or alcohol, like Sturgell, prosecutors were unable to prove that he knew the victim was unable to give consent, Deputy District Attorney Dawn Buzzard said. The victim did, however, experience soreness after the encounter, leading to the assault charge.

Sturgell was convicted in November of four counts of first-degree sodomy,

two counts of first-degree unlawful sexual penetration and one count of second-degree sex abuse. He was sentenced Monday to more than 13 years in prison.

Cunningham was scheduled for a trial this week on a host of sex abuse charges, including first-degree rape. Several of the charges carried minimum sentences of more than six years in prison under state law.

But he instead pleaded no contest Tuesday to the assault charge.

"We believed that this was going to trial, but we negotiated a very favorable deal," said John Gutbezah, Cunningham's court-appointed attorney.

State lawmakers join forces against offshore drilling across the nation

By PATRICK WHITTLE
Associated Press

PORTLAND, Maine — A group of nine Democratic state lawmakers from different coastal states announced Tuesday that they are going to use their coming legislative sessions to try to block attempts at offshore drilling.

The lawmakers' announcement came as new and re-elected legislators were entering office around the country after an election that saw high turnover in some states, and the group said it wants to take advantage of new political dynamics that could favor environmental bills. The announcement also came about a year after the Trump administration announced plans to expand drilling.

The lawmakers, who are affiliated with nonprofit advocacy group National Caucus of Environmental Legislators, said their bills will seek to limit the possibility of drilling off their coasts. State legislatures are limited in what they can do to stop drilling beyond state waters, but the lawmakers said they're showing a united stand against the practice.

"We need to pass permanent legislation in our states so that this ban would be in place for the future," New Hampshire state Sen. Martha Fuller Clark said. "We can't afford to rely on Washington to protect us."



The oil drilling rig Polar Pioneer is towed toward a dock in Elliott Bay in Seattle in 2015.

Associated Press

Other lawmakers involved in the effort represent Connecticut, Georgia, Hawaii, Maine, Massachusetts, New York, Oregon and Rhode Island. Some of the lawmakers said they would seek outright bans on drilling, while others said they would look to pass bills that restrict it or do more to hold companies liable for spills.

The proposals will likely encounter resistance from the oil and gas industry. The American Petroleum Institute, an industry group, released a statement in response that said: "Closing the door on offshore development could hurt local

economies, as well as America's energy security, and is a step in the wrong direction."

The practical impact of some of the bills could be that they make it more difficult for companies that seek to drill to access offshore sites via state waters, members of the group said.

Several states have already taken action to ban offshore drilling in state waters. New Jersey passed one of the strongest laws on the subject last year. Lawmakers in coastal states are acting on the subject because of potential harm to critical industries such as tourism and commercial fishing,

said Oregon state Sen. Arnie Roblan, a Democrat who represents Coos Bay.

They lawmakers also said their respective states must do more to encourage renewable energy rather than fossil fuel extraction. State Rep. Park Cannon, of Georgia, said she expected a fight against defenders of "archaic energy practices" in her state.

"It's time to transition away from dirty fossil fuels to renewable energy," said Hawaii state Sen. Mike Gabbard, who said he'd introduce a ban on oil drilling off Hawaii when the session starts next week.

Effort underway to strengthen Oregon hate-crime laws

By ANDREW SELSKY
Associated Press

SALEM — Immigrants, Muslims, people of color, top law enforcement officers and state officials packed into a room to discuss the sharp rise of hate crime in Oregon, with the goal of strengthening the state's lax laws against it.

For all its imagery as a bastion of liberalism, Oregon has a dark history of racism and xenophobia, and today serious attacks and threats often make headlines.

The gathering Monday night in Portland was the first of three planned this week by a task force created by Attorney General Ellen Rosenblum.

Hate crimes increased by 40 percent in Oregon from 2016 to 2017, according to FBI statistics.

"It is appalling that hate-motivated crimes are on the increase in Oregon," Rosenblum said in a statement. "This reality requires us to act."

More than 100 people attended the "listening session" at Unite Oregon, said Seemab Hussaini, an organizer with the intercultural organization.

Rosenblum's spokeswoman, Kristina Edmunson, said she heard Muslims, Latinos, members of

the transgender community and others speak powerfully in the standing-room-only crowd.

One man, an immigrant from Africa, described people shouting racist slurs at him while he was walking down the street in Portland, Hussaini said.

Hussaini, whose group is part of the hate crimes task force, marveled at how it has brought law enforcement and immigrants, people of color and others together. Among those attending Monday's session were the police chief of Salem and a sheriff, Hussaini said.

"To be on a task force with law enforcement officials, to maintain our identity, to correct the record and speak frankly and clearly to these powers, gives us keen insights and allows us to have an exchange with law enforcement that is usually absent," Hussaini said.

The turnout showed there's "overwhelming support" for the effort to strengthen the state's hate-crime laws, Hussaini said.

Currently, the crime of intimidation in the first degree, a felony, applies only if two or more people harm another person because of "that person's race, color, religion, sexual orientation, disability or national origin," or if they cause another per-



AP Photo/Don Ryan

Attorney General Ellen Rosenbaum wants action against hate crimes.

son to fear imminent serious injury.

But if person motivated by prejudice acts alone, it's only intimidation in the second degree — a misdemeanor. It's also a misdemeanor if a person tampers with property or makes threats because of prejudice.

A glaring example, Hussaini said, is the case of Jeremy Christian, who allegedly stabbed three people — killing two of them — aboard a light-rail train in Portland in May 2017. The victims had tried to intervene as Chris-

tian spewed anti-Muslim threats at two black teenage girls.

Yet it was not classified as a hate crime, Hussaini noted. Christian's trial on charges including aggravated murder is pending.

The task force is seeking to help craft legislation that would go before lawmakers during the 2019 session. It would also address data collection.

The other listening sessions were in Eugene on Tuesday and in Medford today.

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Q: Does oral health affect overall health?

A: Although you probably understand that poor dental care can lead to cavities, did you know that other, more serious health problems can also result from poor oral care? The truth is that if you don't take proper care of your teeth you could face far more serious consequences than a simple toothache or some unsightly stains. You could face Cardiovascular Disease, Dementia Respiratory Infection and Diabetic Complications and more.



ASTORIA CHIROPRACTIC

Barry Sears, D.C.

503-325-3311
2935 Marine Drive
Astoria, Oregon

Q: Should I use heat or cold?

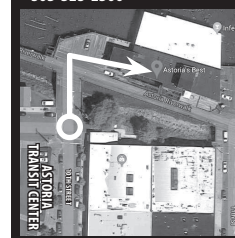
A: If you hurt, especially in a joint, use ice; it reduces inflammation and pain and shortens healing time. You can get a burn from ice just like with heat, so don't leave it on for more than 20 minutes. Most problems get better more quickly with ice. Heat feels good, but may seriously make problems worse. As long as there is pain and/or swelling, continue ice; it can be done as often as once an hour. Would you heat a cut? No, because it would keep bleeding—that is what happens inside where you can't see it.



LEO FINZI

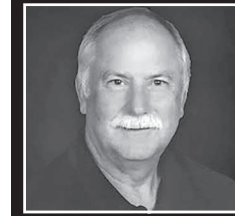
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Q: Any easy way to repair errors in Windows?

A: Click the Windows "Start" button, lower left. Type "CMD". Right Click on "Command Prompt" then click "Run as Administrator" then click on "Yes". In the black command prompt window type "sfc /scannow" (without the parenthesis) and press the "Enter" key on your keyboard. The program will scan your windows installation and, if there are errors, attempt to repair those errors. Be patient, it may take a while to finish.



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Q: I lost my medicare card, how can I get a new card?

A: When your Medicare card is lost or goes through the washing machine, you can obtain a replacement by calling 1-800-772-1213, or go online on the Social Security Administration web site. Make sure you have your Medicare number ready when you call. It takes about four weeks to get your new card.

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